

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

LARRY L. CARRUTH

PLAINTIFF

V.

CIVIL ACTION NO.: 3:14-CV-507 WHB-RHW

JVT ADVISORS

MORPHOTRUST USA, INC.

ALBERT EARL SANTA CRUZ, IN HIS INDIVIDUAL CAPACITY

DEFENDANT

PLAINTIFF'S RESPONSE TO DEFENDANTS MOTION FOR PROTECTIVE ORDER

COMES NOW Plaintiff by and through counsel, and respectfully submits his response to Defendant's Motion for Protective Order. In support thereof, Plaintiff would show unto the Court the following:

1. Defendant has filed a motion to dismiss based on qualified immunity, and has asserted that Plaintiff must present admissible evidence to rebut the immunity.
2. At the same time Defendant seeks to prevent Plaintiff from conducting discovery to seek admissible evidence.
3. Based on the facts of the complaint Plaintiff will need to at least take the depositions of Albert Earl Santa Cruz, Mary Roberts and Ken Magee to provide admissible evidence of Mr. Cruz's direction to prevent Mr. Carruth from further being employed because he was allegedly a "security threat."

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests that the Defendant's Motion for Protective Order be denied.

Respectfully submitted,

BY: /s Nick Norris
NICK NORRIS MB #101574
Attorney for Plaintiff

OF COUNSEL:

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CERTIFICATE OF SERVICE

I, Nick Norris, attorney for Plaintiff do hereby certify that I have this day filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing or mailed, via United States Mail, postage prepaid, on all counsel of record.

SO CERTIFIED, this the 27th day of October, 2014.

/s Nick Norris

NICK NORRIS